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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 TOMMIE LEE MCDOWELL, JR.,
12 Plaintiff,
13 vs.
14 HULSEY, et al.,
15 Defendants.

Case No. 3:19-cv-00230-MMD-WGC

**ORDER GRANTING
DEFENDANTS' MOTION FOR EXTENSION
OF TIME TO FILE A DISPOSITIVE
MOTION, AND TO RESPOND TO
PLAINTIFF'S MOTIONS FOR SUMMARY
JUDGMENT (ECF Nos. 88, 89, and 111)**

16 Defendants, Timothy Hulsey and William Reubart, by and through counsel, Aaron D. Ford,
17 Attorney General of the State of Nevada, and Stephen J. Avillo, Deputy Attorney General, hereby
18 request a 14-day extension of the time, to June 7, 2021, to file a dispositive motion and to file a
19 Response to Plaintiff's motions for summary judgment (ECF Nos. 88 and 89), and a 19-day extension
20 of time, also to June 7, 2021, to file a response to Plaintiff's latest motion for summary judgment (ECF
21 No. 111). This Motion is based on F.R.C.P. 6(b)(1)(A), LR 1A 6-1, the following Memorandum of
22 Points and Authorities, and all papers and pleadings on file herein.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 Defendants respectfully request a 14-day extension of time, to June 7, 2021, to file a dispositive
25 motion and to file a response to Plaintiff's motions for summary judgment (ECF Nos 88 and 89), and a
26 19-day extension of time, also to June 7, 2021, to file a response to Plaintiff's latest motion for
27 summary judgment (ECF No. 111). This request for an extension has been made necessary by the
28 following.

1 The original dispositive motion deadline, along with discovery deadlines, in this matter was
2 extended, by stipulation of the parties, to April 23, 2021. ECF No. 84. Plaintiff filed separate motions
3 for summary judgment on February 10, 2021, and February 17, 2021. ECF Nos. 88, 89. The Court
4 granted Defendants' request for an extension of the time to reply to Plaintiff's summary judgment
5 motions until the dispositive motion deadline of April 23, 2021. ECF No. 94. The Court granted
6 Defendants' request for a 31-day extension of that deadline, to May 24, 2021. ECF No. 110. Plaintiff
7 also has filed, Defendants have responded to, and the Court has denied a motion regarding service. ECF
8 Nos. 96, 102, 106, 108. Plaintiff has filed a motion to dismiss one of the counts of his case, ECF No.
9 112, and he has filed a third motion for summary judgment. ECF No. 111. The deadline for filing a
10 response to the third motion for summary judgment is May 19, 2021. LR 7-2(b).

11 During the period from the week leading up to the May 19, 2021, deadline, and the week after
12 the May 24, 2021, deadline, undersigned counsel has two additional dispositive motion deadlines, a
13 deadline for an early mediation conference statement, and a deadline for a response to a show-cause
14 order. These deadlines are in addition to other routine deadlines throughout counsel's caseload.

15 Additionally, until the week of May 17, 2021, counsel had been working almost entirely from
16 home and had suffered from information technology issues that hampered efficiency.

17 Good cause supports granting this request. FRCP 6(b)(1) governs extensions of time and
18 provides as follows:

19 When an act may or must be done within a specified time, the court may,
20 for good cause, extend the time: (A) with or without motion or notice if
21 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

22 Counsel submits that his schedule and the impact of the coronavirus pandemic constitute good cause for
23 the requested extensions, which will not hinder or prejudice Plaintiff's case.

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1 Defendants therefore request 14- and 19-day extensions, respectively, of the relevant deadlines,
2 until June 7, 2021.

3 DATED this 19th of May 2021.

4 AARON D. FORD
5 Attorney General

6 By: /s/Stephen J. Avillo
7 STEPHEN J. AVILLO, Bar No. 11046
8 Deputy Attorney General

9 *Attorneys for Defendant*

10 IT IS SO ORDERED.

11 DATED: May 20, 2021.

12 William G. Cobb
13 UNITED STATES MAGISTRATE JUDGE
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